

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CORNELIUS JOHNSON AND JAMES
STRICKLAND,

Plaintiffs,

v.

LAZER SPOT, INC., A GEORGIA
CORPORATION,

Defendant.

Civil Action No. 1:22-cv-
01852-MHC

**JOINT MOTION TO STAY DISCOVERY AND PRETRIAL DEADLINES
PENDING RESOLUTION OF PLAINTIFFS' MOTION FOR
CONDITIONAL CERTIFICATION**

Pursuant to the agreement of the Parties, Defendant Lazer Spot, Inc. (“Lazer Spot” or “Defendant”) and Plaintiffs Cornelius Johnson and James Strickland (“Plaintiffs”) (collectively referred to as the “Parties”) respectfully request that the Court issue a stay of proceedings until the Court rules on Plaintiffs’ Motion for Conditional Certification. In support of this Motion, the Parties states as follows:

1. On May 10, 2022, Plaintiffs filed their Complaint. (Dkt. 1.)
2. On November 10, 2022, Lazer Spot filed its Answer. (Dkt. 8.)
3. On January 30, 2023, this Court entered a Scheduling Order setting a deadline for discovery on August 9, 2023. (Dkt. 23.)
4. On April 26, 2023, Plaintiffs filed their Motion for Conditional Certification. (Dkt. 25.)

5. On June 7, 2023, Lazer Spot filed its Response in Opposition of Plaintiffs’ Motion for Conditional Certification. (Dkt. 34.)

6. On July 10, 2023, Plaintiff filed their Reply Brief in Response to Lazer Spot’s opposition. (Dkt. 39.)

7. Currently, the Parties await the Court’s ruling on Plaintiffs’ Motion for Conditional Certification, which will help determine appropriate next steps in discovery. *See Raykovitz v. Elec. Builders, Inc.*, No. CV 119-137, 2019 WL 7341602 (S.D. Ga. Dec. 30, 2019)(“resolution of Plaintiff’s motion for conditional certification will greatly impact the number of claims and scope of discovery.”); *see also Colson v. Cableview Comm. of Jacksonville Inc.*, No. 3:09-cv-850-J-34JRK, 2010 WL 11507875, at *3-5 (M.D. Fla. April 4, 2012) (staying discovery of putative class member pending conditional certification).

8. On August 8, 2023, counsel for the Parties conferred regarding this matter. To preserve the scarce resources of the Parties, counsel, and the Court, the Parties agreed to a stay of proceedings until the Court rules on Plaintiffs’ motion. The Parties agree that depending on the Court’s ruling on Plaintiffs’ Motion, this will greatly impact the current schedule and remaining deadlines in this matter.

9. The Parties further agreed that they will work together and with the Court to prepare an Amended Scheduling Order once the Court rules upon Plaintiffs’ pending motion.

10. Therefore, the Parties respectfully request that the Court stay discovery and pretrial deadlines pending a ruling on Plaintiffs' Motion for Conditional Certification.

11. Plaintiffs and Lazer Spot represent that this request is being made in good faith and not for the purpose of undue delay.

WHEREFORE, Plaintiffs and Lazer Spot respectfully request that the Court grant their joint motion, and stay discovery and pretrial deadlines pending resolution of Plaintiffs' Motion for Conditional Certification.

Respectfully submitted this 9th day of August, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2023, I filed the foregoing JOINT MOTION TO STAY DISCOVERY AND PRETRIAL DEADLINES PENDING RESOLUTION OF PLAINTIFFS' MOTION FOR CONDITIONAL CERTIFICATION with the Clerk of Court using the CM/ECF system, which will send electronic notice to all counsel of record.

/s/ Cary R. Burke
Attorney for Defendant